

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHERI L. SHAINED,

Defendant.

Case No. 2:98-cr-00405-LDG (LRL)

**ORDER**

The defendant, Cheri L. Shaine,<sup>1</sup> requests a judgment of satisfaction of her restitution (#66) or, alternatively, a reduction of the amount remaining owed on her restitution from approximately \$23,000 (to be paid at the rate of \$50 per month) to \$1,000 (to be paid at the rate of \$100 per month). The United States opposes the motion (#67), and moves to strike the defendant's reply as untimely (#69).

Section 3664(k) of the Mandatory Victims Restitution Act—upon which the defendant relies—provides that the court may “adjust the payment schedule, or require immediate payment in full, as the interests of justice require.” 18 U.S.C. §3664(k). This provision does not grant the court authority to either deem the remainder of defendant's outstanding

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<sup>1</sup> Though Cheri L. Shaine has filed her request *pro se*, she has been admitted to the State Bar of Nevada since February 2008.

1 restitution obligation as paid or to reduce the amount of the outstanding obligation. Rather,  
2 the provision grants the court discretion only to adjust the payment schedule. Accordingly,  
3 for good cause shown,

4 THE COURT **ORDERS** that Defendant's Request for a Judgment of Satisfaction of  
5 Restitution (#66) is DENIED;

6 THE COURT FURTHER **ORDERS** that the United States' Motion to Strike (#69) is  
7 DENIED as moot.

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9 DATED this 21 day of August, 2010.

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12 Lloyd D. George  
13 United States District Judge  
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